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SENSITIVE
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ASTANA FOR INL
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SUBJECT: FORENSIC SCIENCE IN UZBEKISTAN: THE SUBTLE APPROACH TO
IMPROVING HUMAN RIGHTS

REF: 10 TASHKENT 50

¶1. (U) SUMMARY: The Forensic Laboratory Improvement Project sponsored by the State Department Bureau of International Narcotics and Law Enforcement Affairs (INL), with assistance from the Department of Justice International Criminal Investigative Training and Assistance Program (ICITAP), continues to make great strides in Uzbekistan. By strengthening investigative capacity and forensic procedures, this project has direct applications to the rule of law in Uzbekistan-and it is one area where the GOU and the USG can agree to address the "human dimension" together. On a recent tour of the Main Forensic Bureau (MFB), poloff and visiting US forensic experts were impressed by three things: the positive changes wrought by the Forensic Improvement Project, the obvious need for continued improvements, and the great professional commitment and enthusiasm of the Bureau's staff. END SUMMARY.

FORENSIC LABORATORY IMPROVEMENT AND THE RULE OF LAW

¶2. (SBU) Law enforcement agencies in Uzbekistan often treat high conviction rates as proof that they are solving criminal cases and preserving public security. However, many law enforcement officers and forensic scientists who investigate crimes have such limited resources that they are not even able to present basic physical evidence that will hold up in court. Unfortunately, the traditional "solution" to that problem is to obtain signed confessions from suspects-by any means necessary. By introducing proven investigative techniques and solid physical evidence into Uzbekistan's criminal justice system, forensic science can bring the guilty to justice while exonerating the innocent. The INL/ICITAP Forensic Improvement Project has gradually been improving the investigative capacity of the MFB of Uzbekistan through training, equipment donations, and professional exchanges. In addition to its criminal investigations, the MFB laboratory also supports medical facilities in emergency situations-for example, identifying ingested poisons.

CHANGE HAS BEEN GOOD...

¶3. (U) The Main Forensic Bureau has already made great strides with assistance from INL/ICITAP (see reftel). When poloff and visiting forensic experts visited the MFB facility in December, the staff was thrilled to show off new equipment, including microscopes and spectrophotometers. These highly educated and

professional scientists were almost like children with a cherished toy as they demonstrated their new capabilities-showing how they could analyze fibers from the scene of a crime with their new microscope, and then use their new computers and digital cameras to capture microscopic images that can be used in court or saved for training purposes. The MFB's pre-donation microscopes looked quite old and low tech; in fact, they compared unfavorably with the microscopes from poloff's high school biology classes. The new microscopes provide better images and allow investigators to view multiple samples side by side. Before receiving the new equipment, investigators used to examine samples separately, and then try to make comparisons based on their memories. To make matters worse, they would then verbally describe their findings in court-a process that was not only vulnerable to mistakes, but also quite unconvincing from a legal point of view. The new equipment makes a world of difference to the quality of their work, and is quicker and more efficient as well.

14. (U) The expert visitors sponsored by INL/ICITAP and the visits of Uzbek scientists to the US have also yielded improvements in terms of organization and procedure of the MFB. Prior to the initial visits of US experts, MFB staff examined evidence, wrote their reports, and even ate their lunch in the same chaotic room-a nightmare in terms of evidentiary procedure. Now, laboratories and administrative areas are separate, and a break room is planned so that staff can relax and eat away from their labs or desks. Two Bureau employees who visited the United States with INL sponsorship gave presentations to share their experiences with their colleagues. Their visits to forensic labs in the U.S. had obviously made a deep impression. One presenter was particularly awed by the safety precautions taken in American labs-from

disposable gloves to special stations for flushing chemicals out of eyes.

15. (U) Aside from the equipment donations and technical advice from US experts, INL has sponsored conferences designed to teach investigative techniques to large groups of forensic scientists and law enforcement officers. In conjunction with the December visit of two US experts, INL organized conferences in Tashkent and Bukhara. Both conferences were well-attended by representatives from a broad spectrum of GOU agencies, including the Ministry of Health, the Ministry of Justice, the Ministry of International Affairs, and the Ministry of Defense, as well as university professors and representatives of regional forensic bureaus.

...BUT THERE IS MUCH TO BE DONE

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16. (U) While the staff of the Main Forensic Bureau is justifiably proud of their progress, the MFB still needs to make many changes in order to achieve its goal of accreditation by the International Organization for Standardization. More laboratory protocols need to be updated, more equipment needs to be replaced, and ideally the entire operation needs to be moved to a new campus with more space and modern facilities. (NOTE: The location for a new campus has already been identified, and some renovations have begun on the existing structures. However, there is no budget to complete the project at this time.)

17. (U) The Main Forensic Bureau is currently housed on a Soviet-era campus that can only be described as dank. Floors are uneven, stairs are of worn and slippery cement, and unpleasant odors cast a pall over the premises. More importantly, some of the equipment and procedures that MFB staff use to perform important tests have been outdated for decades. Nevertheless, Bureau employees exhibited a high degree of professionalism and enthusiasm for their work. They realize that international accreditation will require many more changes, but they are firmly fixed on that goal.

RULE OF LAW AND THE "HUMAN DIMENSION"

18. (SBU) COMMENT: Approaching "human dimension" issues in Uzbekistan can be difficult. The GOU has cautiously responded to the USG's efforts to improve the bilateral relationship, but it tends to react defensively to any perceived criticism. If the GOU

feels that it is being pressured into any course of action, its response is to push back. This has caused considerable difficulty as we attempt to engage the GOU on a broad range of important issues, including human rights and rule of law. However, the GOU has been very enthusiastic about the Forensic Laboratory Improvement Project, and has sent representatives of many government agencies to participate in INL/ICITAP conferences. Working from this common ground, we hope to continue expanding rule of law cooperation with the GOU. END COMMENT.

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